

# **POLITICAL DISCLOSURE STATEMENT**

## **NRG MEDIA – OMAHA, NEBRASKA**

### **UPDATED MARCH 2020**

The following sets forth the policies and practices of NRG MEDIA, which includes radio stations KQKQ-FM, KOPW-FM, KOOO-FM, KOZN-AM, KZOT-AM, KOIL-AM, and KMMQ-AM/FM Omaha, Nebraska, regarding the sale of time to political candidates. It is intended for the sole purpose of complying with the rules of the Federal Communications Commission, and is not a contract for the sale of advertising time.

### **Applicability**

These policies apply to legally qualified candidates for the public office, or their authorized campaign organizations, to promote their candidacy. They are not applicable to political action committees of non-candidate issue advertising.

### **Access**

Reasonable access will be provided to all legally qualified federal candidates during the 45 days preceding a primary election and the 60 days before a general election. Although each legally qualified federal candidate has the right to "reasonable access" to the facilities of NRG MEDIA for the airing of political advertisements, NRG MEDIA retains the right to determine the amount of time sold to all non-federal candidates. NRG MEDIA may, but is not required to, grant access to non-federal candidates at stations' sole discretion and available inventory.

### **Identification**

Complete sponsor identification must be included in each advertisement as required by the FCC Rules and Regulation. NRG MEDIA reserves the right to insert such identification into any advertisement that fails to include the requisite sponsorship identification even if the insertion of the sponsorship identification causes a portion of the advertisement to be deleted.

### **Order Procedures**

Orders for political time will not be considered for clearance until the following have been provided:

1. A completed and signed Agreement Form for Political Candidates.
2. Advance net payment for the ordered time.
3. Where the purchase is made by a corporation, committee, association or other group, a list of the entities' chief executive committee or board of directors.
4. Proof satisfactory to the station that the purchaser is authorized to buy time for the candidate, and that the candidate is legally qualified.

## **Order Procedures (continued)**

5. Radio commercials, along with written instructions for their use, should be submitted to the stations as soon as possible to insure proper placement. Changes to instructions must be in writing to the station (by letter, fax, telegram or electronically transmitted) prior to the expected change.
6. Deadlines for all commercial material, time orders, contract changes and payment are as follows:

|                |                    |
|----------------|--------------------|
| Noon Friday    | Monday Air Date    |
| Noon Monday    | Tuesday Air Date   |
| Noon Tuesday   | Wednesday Air Date |
| Noon Wednesday | Thursday Air Date  |
| Noon Thursday  | Friday Air Date    |
| Noon Thursday  | Saturday Air Date  |
| Noon Thursday  | Sunday Air Date    |

7. Confirmations of broadcast or changes to schedules as ordered will be sent to the political advertiser, and placed in the NRG MEDIA Online Public Inspection File in a reasonable period of time, and will be available for inspection. NRG MEDIA Online Public File information concerning political advertising is available at <https://publicfiles.fcc.gov/>.

## **Production**

Station facilities may be used for the production of political announcements or programs subject to available production time. Production fees are \$75 per hour with a minimum of one hour. Talent fees are \$50 per voice/per commercial. Production and Talent charges are handled separately from time charges. Local direct candidates are not subject to charges. Agencies who schedule production time with NRG MEDIA-Creative Services are required to provide payment of accrued charges following the production session. No commercials will air, nor will any duplicates be provided until payment is received for the correct amount. Limited NRG MEDIA on-air personalities are available for political advertising purposes and are subject to availability.

## **Availabilities**

- A. Legally qualified candidates may purchase time on the basis of any class set forth on the attached chart subject to availability. The base availability is a :30 or :60-second commercial.
- B. NRG MEDIA will place all schedules as ordered. Candidates will be informed if there are any availability issues at the time the order is placed. Due to potential "equal opportunities" obligations for opposing candidates, certain time periods may be unavailable for candidates in other races.

## **Availabilities (continued)**

- C. Candidates should be aware that, unless a contrary result is demanded by statutory requirements, orders for the purchase of time made after 10am on the Friday preceding Election Day may not be filled due to lack of availability. The earlier an order is placed, the greater the scheduling option will be. NRG MEDIA reserves the right to accept advertising beyond normal deadlines and will advise legally qualified candidates when those changes occur.
- D. No more than one ad purchased by a federal candidate or on behalf of a federal candidate will ordinarily be broadcast in any one half-hour. All announcements offered are subject to prior sale and resulting non-availability. Requests for time in particular periods will not be confirmed until availabilities have been cleared and commercials have been scheduled. ALL SCHEDULED BROADCAST TIMES ARE APPROXIMATE.
- E. Access and availability of time for non-federal candidates on NRG MEDIA stations varies from station to station and is outlined on each specific station rate chart.

## **Rates**

NRG MEDIA will make available to federal candidates any and all dayparts that are available to commercial advertisers, with the exception of news, weather, sports, traffic and special program sponsorships as well as public affairs programming. The station sometimes offers merchandise or other non-cash incentives to commercial advertisers who purchase time in specified programs or quantities. The station will make non-cash incentives having more than a de minimis value available to political advertisers on the same terms of which they were offered to commercial advertisers. Please contact the station for information.

- A. Quoted rates from availability requests are for 30 or 60 second ads.
- B. Each separate class of time is offered to candidates at its lowest unit charge: the lowest clearing rate of the particular class of time ordered by the candidate for the time period when the ad is broadcast during the 45 or 60 day window before a primary or general election. The stations will provide their best, good faith estimate of the lowest unit charge for each class upon request.
- C. During the time period outside the 45 or 60-day pre-election windows, legally qualified candidates may purchase advertising time at the then-current effective selling rate for the class of time desired, subject to availability and preemption.

## **Rebates**

If a new lowest unit charge is established after a political advertiser's purchase has been made or run, NRG MEDIA will rebate the overcharge to the political advertiser or will credit the overcharge to the candidate's future time purchases, net of agency commission, as the candidate directs.

## **Make Good Policy**

The stations will use their best efforts to provide makegood spots prior to the election for candidate "use" spots that are preempted due to technical problems or because of the nature of the time purchased. Although the Stations' policy is to offer all candidates makegoods before the election, it cannot guarantee to any advertiser that the makegoods can be provided in the time period or rotation originally ordered. If inventory constraints preclude such identical scheduling, the stations will offer makegoods of equivalent value. If these are not acceptable to the advertiser/candidate, the station will provide credits or refunds of preempted spots.

## **Pre-Broadcast Review**

The station will review all political advertisements to determine whether they are "uses," whether they carry proper sponsorship identification, and whether they conform to the agreed-upon length and to the station's and FCC's technical standards. Advertisements that are not "uses" or that do not conform to length specifications or technical standards will be rejected.

## **Classes of Time**

This station sells commercial time in thirty (30) and sixty (60) second increments throughout the day.

Rotations - Spots may be purchased for time or day rotation. For example, one or more spots may be purchased to air between the hours of 6:00am-7:00pm or 3:00-7:00pm, the precise air time to be selected at the sole discretion of the station. One or more spots may be purchased to air on any one or more days to be selected at the sole discretion of the station; for example, on any three days Monday-Friday, on any two days Monday- Sunday, or on either Saturday-Sunday. Further, one or more spots to be aired any time between 3:00-7:00pm on any three days Monday-Friday, as selected by the station. A rate will be quoted for virtually any period of time or series of days. NRG Media – Omaha offers rate cards for political candidates with class of time: Non Pre-Emptible, Pre-Emptible With Notice and Pre-Emptible Without Notice. Generally, the greater the flexibility the station maintains for spot placement, the lower the rate.

## **Personnel**

In order to provide maximum service to candidates and their representatives, NRG MEDIA seeks to provide sales service through only one station representative. Other station personnel can take questions and messages from candidates and their representatives, but the actual time buy and answers to the question will be handled by Director of Sales, Scott Vowinkle, at [svowinkle@nrgmedia.com](mailto:svowinkle@nrgmedia.com) or 402-977-9292.